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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE TREMONT SECURITIES LAW, STATE LAW AND INSURANCE LITIGATION	 § Master File No. § 08 Civ. 11117 (TPG) §
This Document Relates to: THE INSURANCE ACTION, 09 Civ. 557 (TPG), specifically to:	§ USDC SDNY § DOCUMENT ELECTRONICALLY FILED
THE INTERNATIONAL DAD TRUST,	DOC #: DATE FILED: 3/16/17
Plaintiff,	§
-against-	<pre> §</pre>
TREMONT OPPORTUNITY	§
FUND III, L.P., ET AL,	§ ()9 cv 557
Defendants.	§ 09 cv SS/ § Insurance Achon

STIPULATION AND [PROPOSED] ORDER DISMISSING CERTAIN CLAIMS IN PLAINTIFF'S FIRST AMENDED COMPLAINT

WHEREAS, on December 19, 2011, Plaintiff The International DAD Trust filed a First Amended Complaint; and

WHEREAS, on February 14, 2012, Defendants filed separate motions to dismiss the Plaintiff's First Amended Complaint with respect to the claims asserted against them;

IT IS HEREBY STIPULATED, by and between the undersigned counsel for the parties, and subject to the approval of the Court, as follows:

1. Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff dismisses the following claims with prejudice and with each party bearing its own fees, costs and expenses:

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a. the Second Cause of Action for violation of the Texas Securities Act article

581-33F(1) against all Defendants;

b. the Third Cause of Action for violation of the Texas Securities Act article

581-33F(2) against all Defendants; and

c. the Fifth Cause of Action for common-law negligence against Defendants

Tremont Opportunity Fund III, L.P., Tremont International Insurance Fund, L.P., Tremont Partners,

Inc., Rye Investment Management, and Tremont Group Holdings, Inc.

2. Accordingly, pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff dismisses all claims

against Defendants Massachusetts Mutual Life Insurance Company, MassMutual Holding LLC and

Oppenheimer Acquisition Corp. with prejudice and with each party bearing its own fees, costs and

expenses.

3. All other claims asserted in Plaintiff's First Amended Complaint shall remain

pending. Defendants Tremont Opportunity Fund III, L.P., Tremont International Insurance Fund,

L.P., Tremont Partners, Inc., Rye Investment Management, and Tremont Group Holdings, Inc.'s

Motions to Dismiss shall also remain pending, and the deadline for those Defendants to file any reply

brief in support of their Motions to Dismiss shall be filed no later than twenty (20) days after

Plaintiff files any memorandum in opposition as set forth in the Parties' stipulation ordered by the

Court on February 3, 2012 (Dkt. Entry 666 in 08 Civ. 11117).

Dated: March 15, 2012.

Respectfully submitted,

LOOPER REED & McGRAW, PC

By: /s/ Ralph C. Perry-Miller

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SO ORDERED

Hon. Thomas P. Griesa, United States District Judge

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that I have this 15th day of March, 2012, electronically filed a copy of the foregoing with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the parties of record.

/s/ Ralph C. Perry-Miller

RALPH C. PERRY-MILLER